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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION
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12	XIAOYE BAI,)	No. CV 18-06486-ODW (JDE)
13	Petitioner,)	
14	v.)	ORDER ACCEPTING FINDINGS
15	WARDEN OF ELY STATE)	AND RECOMMENDATION OF
16	PRISON, et al.,)	UNITED STATES MAGISTRATE
17	Respondents.)	JUDGE
18)	


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20 Pursuant to 28 U.S.C. § 636, the Court has reviewed the records on file,
21 including the operative Petition (Dkt. 1), Respondent's Motion to Dismiss the
22 Petition (Dkt. 11), and the Report and Recommendation of the United States
23 Magistrate Judge (Dkt. 15). No party filed any timely objections to the Report.
24 The Court accordingly accepts the findings and recommendation of the
25 Magistrate Judge.

26 IT IS THEREFORE ORDERED that:

- 27 1. Respondent's Motion to Dismiss (Dkt. 11) is GRANTED; and
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2. Judgment shall be entered dismissing this action without prejudice
for failure to exhaust state remedies.

Dated: March 28, 2019



JESUS G. BERNAL
United States District Judge